

The tyranny of the familiar: why we should be wary of proposals to 'parliamentarise' EU decision-making

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Strengthening the role of the European Parliament has often been proposed as a method for addressing the EU's alleged democratic deficit. Sergio Fabbrini writes that while there are legitimate criticisms to be made about the intergovernmental model of European integration, any attempt to create a system approximating national parliamentary democracy at the European level would be counter-productive. He argues that what the integration project requires is a new theory that moves beyond the standoff between intergovernmental and parliamentary approaches.



It seems that the only viable alternative to the current 'intergovernmentalisation' of the European Union (EU) continues to be the latter's 'parliamentarisation': that is, the gradual evolution of the EU towards a system of government resembling parliamentary democracy in a nation state. However, would the EU actually benefit from further parliamentarisation? Would the system produced by such a move really be more democratic?

Far from being a positive development, I would argue that the 'parliamentarist' model of European integration constitutes little more than the tyranny of the familiar. The scholars and politicians who support it base their opinion on the assumption that the EU is not fundamentally different from a nation state. The argument is largely that what has worked in London or Berlin should also work in Brussels. Yet this perspective is both politically unrealistic and analytically wrong, for it fails to acknowledge the key difference between a nation state and a union of states.

This is the difference between a federal state (emerging from the disaggregation of a previously unitary state) and a federal union (created by the aggregation of previously independent states). Empirically speaking, federal states like Germany, Austria, Belgium, Canada and Australia have all adopted a parliamentary system of government, but none of the federations by aggregation (or federal unions, such as the United States and Switzerland) have done so. Federal unions have adopted, at the horizontal level, a specific brand of separation of power, given their need to prevent the formation of a strong and centralised decision-making centre – a need genetically less relevant in federal states.

Although parliamentarisation has not been the only road to democratisation in federal political systems, in the case of the EU a particular mantra has come to be repeated, namely that the European Parliament should become like national parliaments in order to make the Union democratic. As national parliaments elect national governments, the European Parliament should thus elect the Commission and its President. Indeed, the election of Jean-Claude Juncker as Commission President was hailed by parliamentarists as the closest approximation to that view, given his status as the so called *spitzenkandidat* of the European People's Party (EPP), which received a plurality of seats in the 2014 European Parliament elections.

Juncker's candidature was imposed on the European Council. Addressing the European Parliament in his speech on 15 July 2014, Juncker noted that "for the first time, a direct link has thereby been established between the outcome of the European Parliament elections and the proposal of the President of the European Commission... (This link) has the potential to insert a very necessary additional dose of democratic legitimacy into the European decision-making process, *in line with the rules and practices of parliamentary democracy*" (italics added).

Nevertheless, the Juncker Commission has not become a parliamentary executive. Its composition was decided by the heads of state and government of the European Council, who [nominated](#) the highest number ever of previous national Prime Ministers and Ministers as Commissioners. One might even argue that the Commission has been 'intergovernmentalised', rather than 'parliamentarised'. Moreover, the deepening of the Greek crisis has shown that

the true decision-makers have been sitting in the Eurogroup and the Euro Summit, not at the Berlaymont building hosting the Commission.

To make matters worse, the Parliament has been excluded from the main decisions over euro-related economic policy, given its role in representing all EU citizens, rather than simply those of the Eurozone. The present situation has even given rise to a suggestion that the national parliaments of Eurozone states should be involved in some direct way in decision-making at the European level – a proposal that could further weaken the European Parliament's role in economic matters.

Even when the European Parliament and the Commission have appeared to gain influence, things have not changed as expected. Look at the '[Five Presidents report](#)' on 'a more genuine economic and monetary union', submitted to the European Council in June, with the aim of updating the 'Four Presidents report' of 2012. Although the document was formally drafted by Jean-Claude Juncker, with the European Parliament President Martin Schulz finally accepted as a member of the presidential team, it turned out to be a much less supranational-oriented document than the one written by the then President of the European Council, Herman Van Rompuy, in 2012. Thus, in the Eurozone, the opposite of parliamentarisation is happening, regardless of the parliamentary election of Jean-Claude Juncker.



The key factor underlying this is that the EU cannot adopt a parliamentary form of government due to structural, rather than contingent, reasons. Regardless of the parliamentary rhetoric celebrated in the Treaties, parliamentarism cannot give a feasible answer to the two main systemic constraints within the EU: the demographic asymmetries between its member states and the national differentiation between the latter's citizens. Given these systemic constraints, it would be unacceptable to recognise only the European Parliament as the source of governmental authority in the EU, if not as the source of the EU's democratic legitimacy.

If this were to occur then the representatives of smaller member states (currently around three quarters of the total) would consistently be in a minority, given the national differentiation between citizens cannot be regulated through the same 'left vs right' axis that exists at the national level. It is no coincidence that federations by aggregation have adopted a decision-making system based on separation rather than fusion of powers. Separation of powers offers a mechanism for guaranteeing multiple access points to the decision-making process: a setup that protects small member states and prevents the formation of permanent hegemonies by larger ones.

Certainly, in systems that fuse powers, it is much easier to take decisions, as long as the government enjoys the political confidence of the majority of the legislature, and it is also much easier to identify who is responsible for what. This is not the case in systems based on a separation of powers, where the government is a process, not an institution. However, a union of states is not a nation state. In complex situations, simple 'solutions' can worsen the problem, rather than solving it.

The EU is presently stuck between the views of intergovernmentalists (who prioritise the decision-making role of national governments) and parliamentarists (who stress that the European Parliament is the only institution capable of representing European citizens). A union of states and citizens should indeed represent the interests of both in its decision-making system, through an institutional architecture based on a separation of powers and checks and balances. Between the intergovernmental union and the parliamentary union, there is an ocean to sail. Because of a

lack of comparative knowledge and an abundance of intellectual indolence, the partisans of parliamentarism have become prisoners of their own rhetoric. A rhetoric that is not sufficient for unmasking the fallacy of intergovernmentalism. Without a new political theory, it will be impossible to find an original solution to the dual nature of the EU.

For more information on this topic see the author's recent book, [Which European Union? Europe After the Euro Crisis](#), and article in the [Journal of European Integration](#).

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About the author

Sergio Fabbrini – *LUISS School of Government*

[Sergio Fabbrini](#) is Director of the LUISS School of Government in Rome and Professor of Political Science and International Relations at LUISS Guido Carli, where he holds a Jean Monnet Chair in European Institutions and Politics.

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